

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

PHILLIP JONES,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. C-07-00067
	§	
F.C.I. THREE RIVERS WARDEN,	§	
JOSLIN,	§	
	§	
Respondent.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS**

On June 26, 2007 United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending as follows:

- 1) that respondent's motion to dismiss (D.E. 31) be denied;
- 2) that petitioner's habeas petition for relief pursuant to 28 U.S.C. § 2241 be dismissed for want of jurisdiction; and
- 2) that his remaining motions that are before the Court (D.E. 8, 9, 20) be denied.

The Memorandum and Recommendation further recommended that petitioner be barred from filing any additional collateral attacks on his conviction from the Eastern District of Michigan and warned any new filings will result in sanctions.

On July 5, 2007, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson* , 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C);

Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED as follows:

1) respondent's motion to dismiss (D.E. 31) is denied;


2) petitioner's habeas petition for relief pursuant to 28 U.S.C. § 2241 is dismissed for want of jurisdiction; and

2) petitioner's remaining motions that are before the Court (D.E. 8, 9, 20) are denied.

Petitioner is barred from filing any additional collateral attacks on his conviction from the Eastern District of Michigan and is warned that any new filings will result in sanctions.

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 9th day of July, 2007.

  
Jarvis Graham Jack  
United States District Judge